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**PATENT**  
**540591-7095.1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Jose Gutierrez-Rocca et al.  
Serial No. : 10/086,059  
For : A SUSTAINED RELEASE  
PHARMACEUTICAL FORMULATION  
Filed : February 27, 2002  
Examiner : Unknown  
Group Art Unit : Unknown

745 Fifth Avenue  
New York, NY 10151

I hereby certify that this correspondence is being deposited with  
the United States Postal Service as first class mail in an envelope  
addressed to: Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231, on May 7, 2002.

Jerome Rosenstock Reg. No. 25,456

Name of Applicant, Assignee or Registered Representative

*Jerome Rosenstock*  
Signature

May 7, 2002

Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
UNDER 37 CFR 1.53(b)**

Assistant Commissioner for Patents,  
Washington, D.C. 20231

Sir:

This is in response to the above-captioned Notice mailed on April 2, 2002.

REMARKS

In response to the above-identified notice, enclosed is the Declaration and Power of Attorney executed by the inventors of the subject application, namely Jose Gutierrez-Rocca and Saul Rios.

Also enclosed is a copy of the Notice, as required.

Check No. 021007 in the amount of \$130.00 in payment of the required fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0320. Duplicate copies of this sheet are attached.

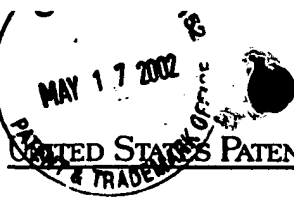
The Examiner is hereby authorized to call the undersigned attorney of record "collect" on any matter connected with this application. The telephone number is 212-588-0800. In the absence of the undersigned attorney of record, the call will be accepted by any attorney empowered in this application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: 

Jerome Rosenstock  
Attorney for Applicants  
Registration No. 25,456  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/086,059	02/27/2002	Jose Gutierrez-Rocca	540591-7095.1

CONFIRMATION NO. 1436

20999  
FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

FORMALITIES LETTER



Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice MUST be returned with the reply.*

Tseojeredu

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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